

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

---

The Estate of Joseph P. King, by and through its  
Administratrix, Amy King, and Amy King in her own right,  
*Plaintiff,*

-against-

Anthony J. Annucci, Acting Commissioner, State of New  
York Department of Corrections, in his individual capacity;  
and Marie T. Sullivan, Commissioner, State of New York  
Department of Mental Health, in her individual capacity;  
Jami Palladino, Mid-State Social Worker, in her individual  
capacity; Hal Meyers, Mid-State Chief Mental Health Counselor,  
in his individual capacity;

*Defendants.*

**DECLARATION OF**  
**ANNE MARIE T.**  
**SULLIVAN, M.D.**

9:20-CV-1413  
(TJM/ML)

---

**Ann Marie T. Sullivan, M.D.** on the date noted below and pursuant to § 1746 of  
title 28 of the United States Code, declares the following to be true and correct under penalty  
of perjury under the laws of the United State of America:

1. I have been the Commissioner of the New York State Office of Mental  
Health ("OMH") since 2014.
2. I am named as a Defendant in the instant matter and make this declaration in  
support of Defendants' motion for summary judgment.
3. This declaration is based on my personal knowledge of OMH's standard  
practices, and otherwise upon information and belief.
4. I have been informed that the Plaintiff brings this action against me and  
claims that I violated the decedent's Eighth Amendment rights, such that I was deliberately  
indifferent to his serious mental health needs. I was further informed that Plaintiff alleges

I failed to properly train and supervise my employees and that my negligence led to decedent's suicide on November 16, 2018. Finally, I was informed that Plaintiff claims I failed to use a requisite standard of care to decedent that caused his death.

5. As the Commissioner of OMH, I had no personal involvement in the aforementioned allegations.

6. As the OMH Commissioner, I have broad responsibility for the functioning of OMH as a whole and setting standards that govern the numerous entities that are under the jurisdiction of OMH. To execute those functions, I am authorized to adopt and to propose rules and regulations, and to delegate those functions to the directors of individual facilities or such other office or employee as may be necessary to fulfill the obligations of the office.

7. The Central New York Psychiatric Center ("CNYPC"), which is under the OMH purview, is a comprehensive mental health service delivery system providing a full range of care and treatment to persons incarcerated in the New York State and County Correctional Systems.

8. CNYPC's "correction-based operations" ("CBO") consists of a statewide network of mental health units located in designated NYS Department of Corrections and Community Supervision (DOCCS) facilities. There are a total of 28 outpatient clinics with 15 full Satellite Units, providing a total of 205 crisis beds, 806 Intermediate Care Program beds, and clinic services to approximately 8,500 inmate/patients of the DOCCS inmate population.

9. Mid-State Correctional Facility contains a CNYPC Satellite Unit. However, I am not involved in the day-to-day operations of the Mid-State Correctional Facility CNYPC Satellite Unit or any other Satellite Unit.


10. Furthermore, I never spoke to the decedent, Joseph P. King, at any time prior to

his death. I never received any correspondence from him while he was in DOCCS' custody. I never received and/or reviewed his medical records or mental health records.

11. As the Commissioner, I did not personally provide the decedent with any medical or mental health treatment.

12. For the reasons set forth above and in the other papers submitted on behalf of the Defendants in support of this motion, I respectfully submit that the Plaintiff's allegations against me cannot be sustained and should be dismissed.

Dated: December 20, 2022  
Albany, New York

  
Ann Marie T. Sullivan, M.D.  
Commissioner, Office of Mental Health